

31274
SEC

SERVICE DATE - AUGUST 29, 2000

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42051

WISCONSIN POWER AND LIGHT COMPANY

v.

UNION PACIFIC RAILROAD COMPANY

Decided: August 28, 2000

In an decision served on April 24, 2000, a procedural schedule was established for the filing of evidence and argument in this coal rate reasonableness case.¹ Opening statements were due, and were filed by both parties, on June 15, 2000, and replies were due, and were filed, on August 14, 2000. On August 18, 2000, complainant Wisconsin Power and Light Company (WPL) filed a petition for a 15-day extension of time, from September 13, 2000, to September 28, 2000, for the filing of rebuttals. WPL argues that it cannot respond adequately within the allotted time because of the volume of the evidence and argument filed by defendant Union Pacific Railroad Company, the apparent deviations made by both parties from the Board's treatment of several issues in FMC, and delays in sharing necessary information.

The Board takes seriously its responsibility to move cases toward resolution, but in this case, it appears that a short extension of time is reasonable and will not prejudice any party. Therefore, WPL's request will be granted.

It is ordered:

1. The due date for filing rebuttal statements in this proceeding is extended to September 28, 2000.

¹ A delay from the standard procedural schedule set out in 49 CFR 1111.8 was imposed with the expectation that the parties would benefit from the Board's resolution of similar issues in FMC Wyoming Corporation and FMC Corporation v. Union Pacific Railroad Company, STB Docket No. 42022 (STB served May 12, 2000) (FMC).

2. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary